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| | | | |
|--|----------------------|-------------------------|----------|
| TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small> | Application Number | 09/486,839 | |
| | Filing Date | Mar 1, 2000 | |
| | First Named Inventor | Achari, Raja G. | |
| | Art Unit | 1617 | |
| | Examiner Name | Shaojia A. Jiang, Ph.D. | |
| Total Number of Pages in This Submission | 19 | Attorney Docket Number | 97-01US2 |

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| ENCLOSURES (check all that apply) | | |
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| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached-Deposit Account <input checked="" type="checkbox"/> Amendment / Reply to 3/15/04 Office Action (9 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Petition for Extension of Time Request under 37 CFR 1.136(a) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Exhibit A, and Exhibit B, Amendment Transmittal Letter |
| Remarks: Amendment Transmittal Letter showing Claims. Exhibit A, page 890 and the Title page of the Physician's Desk Reference of 1997, (2 pages) and Exhibit B, pages 158, 592 and the Title page of Goodman & Gilman's <i>The Pharmacological Basis of Therapeutic</i> 9 th Ed (1996). (4 pages total) | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|--------------------|--|
| Firm or Individual | Nastech Pharmaceutical Company Inc. by Paul G. Lunn, Patent Counsel |
| Signature |  |
| Date | September 15, 2004 |
| Registration No. | 32,743 Customer Number: 36,814 |

CERTIFICATE OF FACSIMILE TRANSMISSION

703-892-9306

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| Sent by Facsimile by: Leslie Kodish, signature: | | | September 15, 2004 |
| Type or printed | Leslie Kodish | | |
| Signature |  | Date | September 15, 2004 |

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75PTO/SB/17 (10-03)

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$475.00)****Complete If Known**

| | |
|----------------------|------------------|
| Application Number | 09/486,839 |
| Filing Date | 3/1/2000 |
| First Named Inventor | Achari, et al. |
| Examiner Name | Shaojia A. Jiang |
| Art Unit | 1617 |
| Attorney Docket No. | 97-01US2 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit
Account
Number

502769

Deposit
Account
NameNastech Pharmaceutical
Company Inc.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 180 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|---------------------------|--------------|----------------|----------|
| Independent Claims | -20**= | X | |
| Multiple Dependent Claims | -3**= | X | |

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|---|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 88 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 88 | 2204 | 43 | **Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | **Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$)

** or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,620 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | 475.00 |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1808 | 180 | 1808 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 800 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

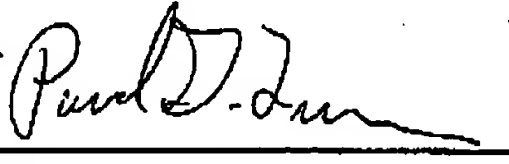
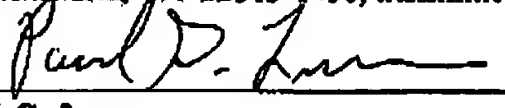
SUBTOTAL (3)**(\$475.00)****SUBMITTED BY**

| | | | | | |
|-------------------|---|-----------------------------------|--------------------|-----------|----------------|
| Name (Print/Type) | Paul G. Lunn | Registration No. (Attorney/Agent) | 32,743 | Telephone | (425) 908-3643 |
| Signature |  | Date | September 15, 2004 | | |

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| | | | | | | | | |
|---|--|--|--|--------------------------------|------|-------------------|--|--|
| AMENDMENT TRANSMITTAL LETTER Under Small Entity Status | | | | Attorney Docket No: 97-01US2 | | | | |
| Application Serial Number: 09/486,839 | | Filing Date: 3/1/2000 | | Examiner: Shaojia A. Jiang | | Art Unit: 1617 | | |
| Invention: INTRANASAL FORMULATIONS CONTAINING SCOPOLAMINE AND METHOD OF TREATING MOTION SICKNESS | | | | | | | | |
| TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below. | | | | | | | | |
| CLAIMS AS AMENDED | | | | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | NO. OF EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE | | |
| TOTAL CLAIMS | 6 | MINUS | 20 | 0 | \$9 | \$ 0.00 | | |
| INDEP. CLAIMS | 2 | MINUS | 2 | 0 | \$43 | \$ 0.00 | | |
| <input checked="" type="checkbox"/> Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>3/16/2004</u> to and through <u>9/16/2004</u> , comprising an extension of the shortened statutory period of: <table style="width: 100%; margin-top: 10px;"> <tr> <td style="width: 50%; text-align: center;"> <input type="checkbox"/> one month (\$55.00) <input type="checkbox"/> two months (\$210.00) </td> <td style="width: 50%; text-align: center;"> <input checked="" type="checkbox"/> three months (\$475.00) <input type="checkbox"/> four months (\$740.00) </td> </tr> </table> | | | | | | | <input type="checkbox"/> one month (\$55.00) <input type="checkbox"/> two months (\$210.00) | <input checked="" type="checkbox"/> three months (\$475.00) <input type="checkbox"/> four months (\$740.00) |
| <input type="checkbox"/> one month (\$55.00) <input type="checkbox"/> two months (\$210.00) | <input checked="" type="checkbox"/> three months (\$475.00) <input type="checkbox"/> four months (\$740.00) | | | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | | | |
| <input checked="" type="checkbox"/> Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. <input type="checkbox"/> A check in the amount of \$_____ is attached. <input checked="" type="checkbox"/> Charge \$ <u>475.00</u> to Deposit Account <u>502769</u> . <input checked="" type="checkbox"/> No additional fee is required for claims. | | | | | | | | |
| <u>September 15, 2004</u> date | |  Paul G. Lunn Reg. No. 32,743 | | | | | | |
| I hereby certify that this Correspondence is being deposited by facsimile with the Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, transmitted to the USPTO, on September 15, 2004. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;">  Paul G. Lunn </div> <div style="text-align: right;"> Reg. No. 32,743 </div> </div> | | | | | | | | |

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